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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
NGUYEN, QUANG N	

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/343,183	KATO, MASAMI	
	Examiner	Art Unit	
	Quang N. Nguyen	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2004* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *19-30,40,46 and 48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19-30,40,46 and 48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 June 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

Detail Action

1. This Office Action is in response to the Response to Office Action and Submission of Sworn Translation filed on 06/30/2004. Claims 19-30, 40, 46 and 48 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 19-24, 26, 40, 46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto (US 5,991,276), in view of Newlin (US 5,774,857) and in further in view of Brunson (US 5,673,205).

4. As to claims 19 and 22, Yamamoto teaches a multipoint videoconference system *(in real-time)* including a videoconference server including a data communication control apparatus, comprising:

a control device adapted to control a way of distributing data corresponding to the plurality of connected communication terminals (Yamamoto, ATM Switching System Controller 8a of Fig. 2, C4: L3-21 and L48-57); and

a data distributing device adapted to distribute the generated text data, instead of the recognized voice data, generated by the voice recognition device, to the second terminal with the image data *(i.e., the video servers 9a and 9b receive video and audio signals as well as other signals carrying various materials prepared for the videoconference, then apply editing processes to the received signal contents and distribute the resultant signals to the user terminals via the ATM-SW 8)* (Yamamoto, ATM Switching System 8 of Fig. 2, C4: L32-57).

However, Yamamoto does not explicitly teach a voice recognition device for recognizing voice data and generating text-data based upon the recognized voice data and an image converting device adapted to convert first image data that has been entered to the data communication control apparatus from the first terminal into second image data for which a format of data is adjusted according to the second terminal.

In a related art, Newlin teaches a method for providing a visual display of speech, such as the visual display of a received audio signal in telecommunications *(such as for both telephony and for audio/video conferencing in real-time)*, especially useful for the hearing impaired, wherein as illustrated in Fig. 1, the speech visualization subsystem 101 receives audio signals from network 104 and the processor 130 provides for the conversion of the received audio signal *(from the network 904 via the network interface 110)* into a visual or text representation of speech to be displayed on the video displays 225 (Newlin, Fig. 1, C5: L22-26 and L63-65).

In another related art, Brunson teaches multimedia messaging system allows message recipients who lack full-motion video message-retrieval capability to retrieve at

least some image content of video messages via video snapshots-image frames retrieved as still images by converting moving-image format *(first image data)* to bit-map image format *(second image data)* and transferring the bit-map image data to the user's terminal (Brunson, Abstract, C5: L17-65).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Yamamoto, Newlin and Brunson to include the speech-text conversion means to recognize voice data and to generate text data based upon the recognized voice data as suggested by Newlin and the image converting means to convert first image data that has been entered to the data communication control apparatus from the first terminal into second image data for which a format of data is adjusted according to the second terminal as suggested by Brunson because it would allow the system to provide a visual display of speech (voice data *presented as* text data) for participants of a conference that can communicate via text data but not voice data, or especially for the hearing impaired; and also to provide still picture data for participants with limited resources *(software/hardware or limited transmission capacity)* to receive and play the video data, wherein text data packets representing speech and still picture data *(instead of movie picture data)* are streaming at a lower data rate and the transmission of the text data packets and the still picture data may be performed at a lower bandwidth therefore faster than the transmission of voice data packets and the video data over a network.

5. As to claim 20, Yamamoto-Newlin-Brunson teaches the apparatus of claim 19, wherein said data distributing device distributes the text data in real-time *(i.e., Yamamoto teaches a multipoint videoconference system in real-time).*

6. As to claims 21 and 23-24, Yamamoto-Newlin-Brunson teaches the apparatus of claim 19, wherein said data distributing device further distributes the text data, which has been entered from the second terminal, to the first terminal; and wherein the first and second terminals have a data conferencing function based upon text-chat data (Yamamoto, C6: L49-51 and C8: L25-63).

7. As to claim 26, Yamamoto-Newlin-Brunson teaches the system as in claim 19, wherein the second terminal is connected via the Internet Protocol *(each video conference terminal transmits a video signal, audio signal, and a material data signal over an ATM network, i.e., via Internet Protocol)* (Yamamoto, Abstract and Newlin, C4: L40-67 and C5: L1-13).

8. Claims 40 and 46 are corresponding control method and recording medium claims of claim 19; therefore, they are rejected under the same rationale.

9. As to claim 48, Yamamoto-Newlin-Brunson teaches a data communication control apparatus for controlling distribution of data among a plurality of connected communication terminals, comprising:

a connection device adapted to connect among the plurality of connected communication terminals, including at least a first type of terminal which can communicate via voice data and a second type of terminal which can communicate text data instead of voice data (Yamamoto, the ATM-SW8 of Figs. 2-3 and Newlin, the Speech Visualization apparatuses 101 and 202 of Figs. 1-2);

an image converting device *(image converting device* 303) adapted to convert first image data (video *data or moving picture data)* that has been entered to the data communication control apparatus from the first type of terminal *(source device 305)* into second image data (still *picture data)* for which a data format is adjusted according to the second type of terminal *(destination client device 301)* (Brunson, Abstract, Fig. 1, paragraphs [0008 - 0010] and [0015 - 00116]); and

a data distributing device adapted to distribute the image data to the first type of terminal or the second type of terminal with the image data (i.e., the video servers 9a and 9b receive video and audio signals as well as other signals carrying various materials prepared for the videoconference, then apply editing processes to the received signal contents and distribute the resultant signals to the user terminals via the ATM-SW 8) (Yamamoto, ATM Switching System 8 of Fig. 2, C4: L32-57), wherein said data distributing device further comprises:

a voice recognition device adapted to recognize voice data that has been entered to the data communication control apparatus from the first type of terminal and to generate text data based upon the recognized voice data (Newlin teaches the speech visualization subsystem 101 receives audio signals from

network 104 and the processor 130 provides for the conversion of the received audio signal from the network 104 via the network interface 110 into a visual or text representation of speech to be displayed on the video displays 225 as illustrated in Fig. 1, C5: L22-26 and Lf3-65);

a control device adapted to control a way of distributing data corresponding to the plurality of connected communication terminals (Yamamoto, ATM Switching System Controller 8a of Fig. 2, C4: L3-21 and L48-57); and

a second data distributing device adapted to distribute the converted second image data and the generated text data to the second terminal (i.e., the video servers 9a and 9b receive video and audio signals as well as other signals carrying various materials prepared for the videoconference, then apply editing processes to the received signal contents and distribute the resultant signals to the user terminals via the ATM-SW 8) (Yamamoto, ATM Switching System 8 of Fig. 2, C4: L32-57).

10. Claims 25 and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto-Newlin-Brunson, in view of Berry et al. (US 6,404,747), herein after referred as Berry.

11. As to claim 25, Yamamoto-Newlin-Brunson teaches the system as in claim 22, but does not explicitly teach the text-chat data is in compliance with ITU-T Recommendation T.120.

In a related art, Berry teaches a Video Multimedia Call Center (VMMCC) with multipoint access through a PBX (private branch exchange) within an ACD (automatic call distribution) environment has both audio and video capabilities wherein the T.120-series of recommendations to provide a means for telecommunicating all forms of data/telematic media between 2 or more endpoints (Berry, C5: L46-67 and C6: L1-52).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Yamamoto-Newlin-Brunson and Berry wherein the text-chat data is in compliance with ITU-T Recommendation T.120 since such methods/techniques were well-known and conventionally employed in the field of multimedia communications.

12. As to claims 27-28, Yamamoto-Newlin-Brunson-Berry teaches the system as in claim 26, wherein a web page *(HTML-format hypertext data)* is generated for the second terminal, including the first image data *(Yamamoto, five participants, Mr. A to Mr. E)* that has entered from the terminals (Berry, C12: L3-8 and Yamamoto, C6: L42-49).

13. As to claims 29-30, Yamamoto-Newlin-Brunson-Berry teaches the system as in claim 19, wherein the dedicated terminals are dedicated videoconferencing terminals in compliance with any of ITU-T Recommendations H.320, H.323 and H.324; and wherein the data communication control apparatus is in compliance with ITU-T Recommendations H.231 and H.243 (Berry, C6: L5-52).

14. Applicant's request for reconsiderations as well as arguments filed on 03/10/2004 have been fully considered but they are moot in view of the new ground(s) of rejection.

15. Further references of interest are cited on Form PTO-892, which is an attachment to this office action.

16. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen
Examiner

Paul Kang
Primary Examiner